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November 28, 2018

VIA ELECTRONIC FILING

The Honorable Jocelyn G. Boyd
Chief Clerk/Administrator
Public Service Commission of South Carolina
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

Re: Duke Energy Carolinas, LLC's 2018 Integrated Resource Plan (IRP)
Docket Number 2018-10-E

Dear Ms. Boyd:

Enclosed for filing in the above-referenced docket is Duke Energy Carolinas, LLC's Response to the South Carolina Solar Business Alliance, Inc.'s Request for Extension of Comment Period.

Should you have any questions regarding this matter, please do not hesitate to contact me at 803.988.7130.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca Dulin". The signature is fluid and cursive, with the first name "Rebecca" and last name "Dulin" clearly distinguishable.

Rebecca J. Dulin

Enclosure

cc w/enc: Parties of Record

**BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2018-10-E**

IN RE:)	
)	
Duke Energy Carolinas, LLC's 2018)	DUKE ENERGY CAROLINAS,
Integrated Resource Plan (IRP))	LLC'S RESPONSE TO
)	REQUEST FOR EXTENSION
_____)	OF COMMENT PERIOD

Duke Energy Carolinas, LLC (the "Company" or "DEC"), pursuant to S.C. Code Ann. Reg. 103-826, responds in objection to the South Carolina Solar Business Alliance, Inc.'s ("SCSBA") request to late-file comments in this docket ("Request"), which was filed with the Public Service Commission of South Carolina (the "Commission") on November 16, 2018 in the above-captioned matter.¹ For the reasons set forth below, DEC respectfully requests that the Commission deny SCSBA's Request.

BACKGROUND

An electric utility's Integrated Resource Plan ("IRP") is prepared pursuant to S.C. Code Ann. § 58-37-40(A). The statute provides that the submission of the IRP "as required by the [C]ommission constitutes compliance with this section." In Order No. 1998-502, the Commission determined that IRPs must contain the following:

- The demand and energy forecast for at least a 15-year period.
- The supplier's or producer's program for meeting the requirements shown in its forecast in an economic and reliable manner, including both demand-side and supply-side options.
- A brief description and summary of cost-benefit analysis, if available, of each option, which was considered, including those not selected.
- The supplier's and producer's assumptions and conclusions with respect to the effect of the plan on the cost and reliability of energy service, and a description of the external, environmental and economic consequences of the plan to the extent practicable.²

¹ On November 27, 2018, the South Carolina Coastal Conservation League, Southern Alliance for Clean Energy, and Upstate Forever filed a similar request in this docket. The Company's response herein applies equally to the request of those parties.

² Order No. 1998-502, Docket No. 87-223-E (July 2, 1998), at pp. 2-3.

The Commission established these requirements as a balance between “furnish[ing] helpful information, while minimizing the reporting burden on the investor owned electric utilities.”³

In Order No. 2012-96, the Commission determined that the docketed IRP review process constitutes a “proceeding” under S.C. Code Ann. Regs. 103-804(Q), into which intervention is permitted.⁴ In that Order, the Commission established that it may determine, at its discretion, whether additional filings would be required by the utility, in addition to submitting its IRP, and whether any additional filings would be required by an intervenor that chooses to submit written comments.⁵ Most recently, in Order No. 2017-764, the Commission determined that, if a party is intervening in an IRP proceeding, the comment filing deadline is 30 days from approval of intervention by the Commission.⁶

On August 31, 2018, the Company filed its 2018 IRP. On October 3, 2018, after the expiration of the thirty-day intervention period established by Order No. 2012-96 in Docket No. 2011-9-E, SCSBA filed a petition to intervene. With no objection from the Company, the Commission granted SCSBA’s late-filed petition to intervene on October 17, 2018. On November 16, 2018, the day its comments were due, SCSBA filed comments requesting the Commission grant an extension of 76 days to allow SCSBA to submit an “independent analysis” of DEC’s IRP on January 31, 2019. SCSBA argued that such comments would provide the Commission with “valuable information that can, and should be, considered in this Commission’s review of Duke Energy Carolinas, LLC’s 2018 IRP, as well as in the myriad

³ *Id.* at 3.

⁴ Order No. 2012-96, Docket No. 2011-9-E (Feb. 1, 2012).

⁵ *Id.* at 1.

⁶ Order No. 2017-764, Docket No. 2017-10-E (Dec. 20, 2017).

dockets that directly rely on the assumptions and conclusions made in Duke Energy Carolinas, LLC's IRP.”⁷

ARGUMENT

While the Company recognizes that Order No. 2012-96 established the right of intervening parties to file comments in the IRP proceeding, the “independent analysis” SCSBA requests an additional 76 days to provide would be inappropriate and outside the scope of this proceeding, where the Commission is exclusively evaluating whether the IRP meets the requirements of Order No. 1998-502.

The only issue properly before the Commission in this proceeding is whether the Company's IRP complies with the requirements set forth in Order No. 1998-502. Indeed, the Commission explained this in Order No. 2012-96, stating that, “[t]he IRP process is initiated by the annual filing of each electric utility's integrated resource plan, which must conform to the requirements set forth by the Commission in Order No. 1998-502.”⁸ The Commission continued by explaining that the IRP proceeding constitutes “the process of determining whether the IRP meets these requirements.”⁹ The analysis of whether the IRP meets these requirements is straightforward: either the IRP contains the information set forth in Order No. 98-502, or it does not. If the IRP includes this information, as in this case,¹⁰ it meets the Commission's requirements on a *prima facie* basis, and no further analysis is needed.

⁷ SCSBA Request, at 1.

⁸ Order No. 2012-96, at 1.

⁹ *Id.*

¹⁰ To wit, the demand and energy forecast for at least a 15-year period is provided on pages 16-18 and 116-129 of the Company's filed IRP. The Company's program for meeting the requirements shown in its forecast in an economic and reliable manner, including both demand-side and supply-side options, is provided on pages 46-68 and 78-103 of the Company's filed IRP. A brief description and summary of cost-benefit analysis of each option is provided on pages 46-57 and 78-103 of the Company's filed IRP. The Company's assumptions and conclusions with respect to the effect of the plan on the cost and reliability of energy service, and a description of the external, environmental and economic consequences of the plan incorporated throughout the Company's filed IRP.

Accordingly, the “comprehensive assessment” of DEC’s IRP by an “Expert Consultant,” which SCSBA requests to provide is not relevant to the question before the Commission in this proceeding. In fact, SCSBA’s Request admits that the analysis it requests to provide is applicable to other proceedings, stating that it will provide “valuable information . . . in the myriad dockets (*sic*) that directly rely on the assumptions and conclusions” in the IRP.¹¹ The “myriad dockets” (*sic*) to which SCSBA refers are the appropriate proceedings in which such a “comprehensive assessment” should be considered by the Commission for inclusion. As the Commission recently concluded in Order No. 2018-429, “[b]ecause the IRP is simply a planning document, discovery regarding its development is best utilized during specific application of its contents in an active case.”¹²

It seems that SCSBA has confused the scope of the IRP proceeding in this state with the scope of the IRP proceeding in North Carolina. Pursuant to North Carolina law, the IRP proceedings before the North Carolina Utilities Commission (“NCUC”) are significantly greater in scope than the IRP proceedings pursuant to this State’s laws and this Commission’s regulations.¹³ Moreover, consistent with that more expansive legal framework, NCUC Rule R8-60 provides intervenors and the North Carolina Public Staff 150 days to file comments on each utility’s biennial IRP. For further context, in the most-recent biennial IRP proceeding, the

¹¹ SCSBA Request, at 1 (emphasis added).

¹² Order No. 2018-429, Docket No. 2018-9-E (June 20, 2018).

¹³ As explained by the NCUC in its most recent order accepting the utilities’ IRPs, North Carolina G.S. 62-110.1(c) requires the NCUC to develop, publicize, and keep current an analysis of the long-range needs for electricity in this State. The NCUC’s analysis should include: (1) its estimate of the probable future growth of the use of electricity; (2) the probable needed generating reserves; (3) the extent, size, mix, and general location of generating plants; and (4) arrangements for pooling power to the extent not regulated by the Federal Energy Regulatory Commission (FERC). Additionally, G.S. 62-110.1 requires the NCUC to consider this analysis in acting upon any petition for the issuance of a certificate for public convenience and necessity for construction of a generating facility. In addition, G.S. 62-110.1 requires the NCUC to submit annually to the Governor and to the appropriate committees of the General Assembly a report of its: 1) analysis and plan; (2) progress to date in carrying out such plan; and (3) program for the ensuing year in connection with such plan. G.S. 62-15(d) requires the North Carolina Public Staff to assist the NCUC in making its analysis and plan pursuant to G.S. 62-110.1. *Order Accepting Integrated Resource Plans and Accepting REPS Compliance Plans*, NCUC Docket No. E-100, Sub 147 (June 27, 2017) (internal quotations omitted).

NCUC held a public hearing to receive public comment on the IRPs, and the NCUC issued a 71-page order to conclude the proceeding almost 10 months after the DEC and DEP IRPs were filed. Clearly, the North Carolina process by which the IRPs are evaluated is markedly different than the process prescribed by the legislature and Commission in this State.

The Company's IRP was filed on August 31, 2018, and SCSBA's comments were due to be filed no later than November 16, 2018. The comment period set forth by Order No. 2017-764 provided SCSBA ample time—77 days—to review the IRP and provide comments as to whether the IRP meets the requirements of Order No. 1998-502. Moreover, the comment period established in Order No. 2017-764 was in fact established at SCSBA's request.¹⁴ Not only is SCSBA well aware of the deadline, but it SCSBA argued in favor of its reasonableness the Company's IRP proceeding just last year.¹⁵

In sum, the “comprehensive assessment” of DEC's IRP by an “Expert Consultant,” which SCSBA requests to provide 76 days after the comment period is not relevant to the issue before the Commission in this proceeding. Consistent with the Commission's recent Order No. 2018-429, such analysis may be considered by the Commission as relevant to other proceedings that apply the information from the IRP.

CONCLUSION

WHEREFORE, DEC moves the Commission to deny SCSBA's Request, and requests such other relief as the Commission deems just and proper.



¹⁴ See Request for Clarification filed by Southern Current, LLC; Newberry Solar I, LLC; and the South Carolina Solar Business Alliance, LLC, Docket No. 2017-10-E (Dec. 8, 2017).

¹⁵ *Id.*

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